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**Group Art Unit: 3637**

**REMARKS**

**In view of the references cited by the Examiner, independent claim 1 is amended herein to identify structural features not disclosed by the references and providing a mode of operation not available to the references. Thus, claim 1 is amended at paragraph b) to identify the towel rod support frame having laterally spaced frame members positioned adjacent the lateral side walls of the cabinet for supporting a towel support rod adjacent the upper end of the open front side of said cabinet. In the rejection of claims 1-2 under 35 USC 102(b) as being anticipated by Hurt, the "towel rod support frame" 13, 14 identified by the Examiner forms the peripheral frame of an oblong food rack which is supported removably on an oblong drip pan 20 disposed horizontally within the oven at any one of a selected number of vertical positions. The horizontal position of the "towel rod support frame" accordingly does not and cannot support a towel support rod 15 adjacent the upper end of the open front side of the cabinet.**

**Claim 1 also is amended at paragraph c) to identify at least one towel support rod extending between and supported by said frame members adjacent the upper end of the open front side of said cabinet for hanging a towel vertically downward from said rod toward the bottom of said cabinet. It is to be noted in Hurt that the "support rod" 15 identified by the Examiner overlies the drip pan 20**

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projecting through the front door in the open position of the oven, and overlies the pan 20 or bottom of the oven in the closed position of the "towel rod support frame" 13, 14 and "towel support rod" 15. In both open and closed positions of the oven door, the "towel support rod" 15 is so close to the underlying oven front door and pan 20 or oven bottom that towels cannot be hung from the "towel support rod" to extend vertically downward therefrom toward the bottom of the cabinet, in the manner and for the purpose of the present invention.

Paragraph d) of claim 1 also is amended herein to identify the mounting of the support frame for movement of said at least one towel support rod through said open front side of the cabinet between a position retracted within the cabinet and a position extended forwardly of and adjacent the upper end of said front open end of the cabinet. It is clear that the support rod 15 of Hurt is not supported so that when it is extended forwardly of the open front end of the cabinet it is positioned adjacent the upper end of the front open end.

In all of the embodiments illustrated in applicant's drawings, the support rods 38, 82 and 94 all are positioned adjacent the upper end of the open front end of the cabinet in both retracted and extended positions of the support rod, to accommodate the hanging of towels vertically downward for efficient warming and drying. The gas range of Hurt is not intended to function as a towel warmer and dryer, nor is it capable of doing so.

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**Claim 2 adds to amended claim 1 the means for supplying heated air current movement from within the cabinet forwardly through the open front side of the cabinet. Although the gas range of Hurt clearly is capable of supplying heated air current movement from within the cabinet forwardly through the open front side of the cabinet, it cannot accommodate the hanging of towels vertically downward from the upper end of the open front end of the cabinet for the purpose of warming and drying towels.**

**Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Barnsteiner. However, it is to be noted in Barnsteiner that the oven casing 10 must be placed within an oven. Although no oven is shown or described, it is obvious that it must be of the conventional type having a front door hinged at the bottom in the conventional manner of Hurt. Thus, with the door open the towel rod support and towel rod 24 closely overlie the open door and thus preclude the hanging of towels vertically downward for effective warming and drying.**

**In the rejection of claims 1-3 under 35 U.S.C. 102(b) as being anticipated by Buschman the towel rod support frame 22 with interior rods 22 identified by the Examiner, are positioned in a downwardly extended position outwardly of the open front side of the enclosure 16, as distinguished from applicant's requirement that the towel support rod extend forwardly of the open front end of the cabinet adjacent the upper end thereof. It is this requirement of applicant that contributes to the**

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warming and drying of towels hanging vertically downward from the towel support rod adjacent the upper end of the open front end of the cabinet. It is apparent that the structural configuration of Buschman cannot serve to warm and dry towels hanging downwardly from the rods. Indeed, Buschman clearly discloses the drying of laundered articles by laying them on the rack, moving the rack into the cabinet and closing the front door.

For the reasons detailed hereinbefore, it is respectfully submitted that claim 1 as herein amended clearly distinguishes patentably over the references of record and is properly allowable with its dependent claims 2-4.

Claim 5 is added herein to identify the cabinet of claim 1 as including back and top members extending between said spaced side walls, a lavatory bowl supported by said top member, and drain means extending from the lavatory bowl downwardly through the cabinet adjacent said back member. This configuration is illustrated in Figs. 5-8. The lavatory bowl accommodates use of the warmer and dryer in a bathroom and is functional because of the positioning of the drain means extending downwardly through the cabinet adjacent the back member of the cabinet where it presents no obstruction to the functioning of the warmer and dryer.

Newly added claim 6 adds to claim 1 a front panel supported pivotally on the upper end of the towel rod support frame for movement of said front panel between a retracted position substantially closing the open front side of the cabinet in the

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retracted position of said towel rod support frame and an extended position hanging downwardly and forwardly of said open front side of said cabinet in the extended position of said towel rod support frame. This structural configuration of the front panel is illustrated in Figs. 1-5 of the drawings and is not in any reasonable sense disclosed or suggested by any one or combination of the references of record.

Claim 7 is similar to claim 6 but made dependent on claim 3 which identifies the support frame mounting means as comprising pivot means interengaging the support frame and cabinet adjacent the bottom end of the support frame for moving said at least one towel support rod arcuately through said open front of the cabinet between said retracted and extended positions identified in claim 1.

Claim 7, like claim 6, is not disclosed or suggested by any of the references of record.

Claim 8 identifies the cabinet of claim 1 as having an open bottom and a source of heated air current mounted in the cabinet adjacent to and registering with said open bottom. It is disclosed in the specification that the source of heated air current may be supplied by a heater unit such as is illustrated at 68 in Fig. 1, 84 in Fig. 5 and 100 in Figs. 7 and 8, or by positioning the cabinet over a floor register of a conventional forced air furnace system (page 7, lines 6-8). This claimed configuration with amended claim 1 distinguishes patentable over the references of record.

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Favorable reconsideration and passage of this case to issue with claims 1-8, is solicited. A Petition for Extension of Time for two months is enclosed together with the requisite fee.


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Version to Show Changes

1. (amended) A towel warmer and dryer cabinet, comprising
  - a) a hollow cabinet having an open front side and laterally spaced side walls,
  - b) a towel rod support frame having laterally spaced frame members  
5 positioned adjacent the lateral side walls of the cabinet for supporting a towel support rod adjacent the upper end of the open front side of said cabinet,
  - c) at least one towel support rod extending between and supported by said frame members adjacent the upper end of the open front side of said cabinet for hanging a towel vertically downward from said rod toward the bottom of said  
10 cabinet, and
  - d) means on the cabinet for mounting said support frame for movement of said at least one towel support rod through said open front side of the cabinet between a position retracted within the cabinet and a position extended forwardly of and adjacent the upper end of said open front end of the cabinet.

Add the following claims:

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5. The towel warmer and dryer cabinet of claim 1 wherein the cabinet includes back and top members extending between said spaced side walls, a lavatory bowl supported by said top member, and drain means extending from the lavatory bowl downwardly through the cabinet adjacent said back member.

6. The towel warmer and dryer cabinet of claim 1 including a front panel supported pivotally on the upper end of the towel rod support frame for movement of said front panel between a retracted position substantially closing the open front side of said cabinet in the retracted position of said towel rod support frame and an extended position hanging downwardly and forwardly of said open front side of said cabinet in the extended position of said towel rod support frame.

7. The towel warmer and dryer cabinet of claim 3 including a front panel supported pivotally on the upper end of the towel rod support frame for movement of said front panel between a retracted position substantially closing the open front side of said cabinet in the retracted position of said towel rod support frame and an extended position hanging downwardly and forwardly of said open front side of said cabinet in the extended position of said towel rod support frame.

8. The towel warmer and dryer cabinet of claim 1 wherein the cabinet bottom is open and a source of heated air current is mounted in the cabinet adjacent to and registering with said open bottom.